

II. Statement of Claim

My name is SGM Parker. The Missouri Army National Guard did not follow its regulations regarding Command Sergeant Major (CSM or E9) Selection. I filed an EEO complaint based on race in 1994 regarding not being promoted to Command Sergeant Major (E9) against the Missouri Army National Guard. In 1996, the National Guard Bureau made a Final Agency Decision (FAD) "to adopt a finding of discrimination on the issues raised in your complaint." Their solution was that I be promoted to Sergeant Major (E9) and "if you meet the promotion criteria for CSM, and are selected by the MOARNG CSM board, your packet will be submitted to the next NGB CSM board". The Missouri Army National Guard did not honor its agreement by taking me off the CSM list with no apparent reason. I tried many times, to get a copy of the list and to find out why I was taken off the list. I was given different reasons by different persons (I have e-mails and documentation). On 7 March 2004, I filed another EEO complaint based on race and reprisal for the 1994 EEO complaint and subsequent finding of discrimination. The National Guard Bureau received my complaint 5 Jan 2005. I talked to Ms. Glenda Costner, who was the EEO Specialist on my case. I was called by Ms. Costner in December of 2005 and was told that she had completed her investigation and the file was being reviewed. I talked to her several times in 2006 regarding my case and was given several reasons as to why I hadn't received the FAD. She once told me that she thought there were problems with my case because involved a General Officer. She retired the last of September of 2006. I was told by Ms. J. Page (Chief, Complaints Management Division, National Guard Bureau) on 6 October that I would receive a written report by 20 Oct 06. After that I talked to Mr. Martin Anderson (he replaced Ms. Costner) and he told me he had completed his report and I would have his written report by the 8th or 9th of December 06. Still did not receive the FAD. During 2007 I talked to via phone or e-mails Ms. Page National Guard Bureau and Lieutenant Colonel (LTC) Nancy Jones (State EEO Manager) at the Missouri Army National Guard. I was told that I would be receiving the FAD several times in 2007. I was told by LTC Jones via e-mail I would receive the decision 20-22 March 07 (when Ms. Page) came to Missouri. She did not come at that time due to illness. Then, I was told I would receive the FAD 5 April 07. I was told that "Adolphus Parker's FAD will be forwarded to JA for legal review within the next week and forwarded to MONTH upon completion or coordination of that." I still didn't receive the FAD. I finally sent an e-mail to Ms. Page on 7 May 2007 stating National Guard Regulations NGR 600-22/ANGI 36-3 which states that the final decision should be "issued not later than one year after filing of a complaint". I have several e-mails between myself and Ms. Page and others. I finally received the FAD on 19 June 2007. The FAD said there was no discrimination or reprisal.

III. Relief

I would like the Court to review the findings and the case file of the National Guard Bureau to see if its findings were correct and fair. I would also, like the Court to see if the National Guard and U. S. Army regulations, rules, and procedures were followed regarding the processing of my FAD, and if they are following the regulations regarding CSM selection.

V. Do you claim actual or punitive monetary damages for the acts alleged in your complaint?

I would like \$500,000 punitive damages because of the following reasons:

- a. I filed a subsequent complaint, because the Missouri National Guard did not honor its agreement. But they went right back to business as usual and not following the rules and regulations.
- b. If the Missouri National Guard can discriminate against me, (I am at the top of the Non-Commissioned Officer Corps (NCO)), lower enlisted and NCO's don't stand a chance.
- c. I was qualified to be a CSM (the CSM can make policy changes, where as a SGM can not). I wanted to be in a position to help soldiers. I believe that the decision was made by the Missouri National Guard, that I would never make CSM after discrimination was found in 1st complaint.
- d. I felt then and still feel now, the only reason I was not selected for CSM was because of my race.
- e. The National Guard has to understand that discrimination will not be tolerated in any form and a monetary award may make them think twice about discriminating against their soldiers.

VI. Counsel

B. Jeffrey Bruce 2103 E. 195th St. Belton, MO 64012 - Contacted twice, had upcoming trials and was not in the position to take any more government defendants.

Arthur Benson 4006 Central K.C. MO - Too expensive.

We talked to the following attorneys. They all said Jeffrey Bruce would be the best attorney against the government:

Ric Siro 1621 Baltimore K.C. MO 64108

Brendon Donelon 802 Broadway K.C. MO 64105

Also, talked to or e-mailed other attorneys.

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